



CIVIL AIR PATROL  
NATIONAL HEADQUARTERS  
MAXWELL AFB AL 36112-6332

CAP REGULATION 123-1 (E)

3 MAY 2003

## **Inspection**

### **THE CIVIL AIR PATROL INSPECTOR GENERAL PROGRAM**

This regulation covers the background, authority, and purpose of the Civil Air Patrol Inspector General (IG) System. It defines who may appoint inspectors general and investigating officers, the roles and responsibilities of inspectors general and other offices and/or agencies involved with the inspector general process.

**1. PURPOSE OF THE CIVIL AIR PATROL INSPECTOR GENERAL SYSTEM.** The purpose of the Civil Air Patrol Inspector General System is to create an independent and objective system to:

- a. Provide leadership and coordination and recommend policies for activities designed to promote economy, efficiency, and effectiveness in the administration of the Civil Air Patrol.
- b. Provide a means for keeping the Board of Governors and the Commander of the Civil Air Patrol informed about problems and deficiencies relating to the administration of programs and operations and the necessity for and progress of corrective action.
- c. Provide a leadership tool that indicates where command involvement is needed to correct systematic, programmatic, or procedural weaknesses to ensure resources are used effectively and efficiently.
- d. Assist commanders in resolving problems affecting Civil Air Patrol missions promptly and objectively.
- e. Create an atmosphere of trust in which issues can be objectively and fully resolved without retaliation or the fear of reprisal.
- f. Ensure the existence of responsive complaint and inspection programs characterized by objectivity, integrity, and impartiality.
- g. Ensure the concerns of Civil Air Patrol members and the best interests of the Civil Air Patrol are addressed through objective fact-finding.
- h. Ensure that the personal behavior of inspector general personnel is above reproach.
- i. Enhance openness and approachability by the briefing of the Civil Air Patrol Inspector General Program at meetings of the CAP National Board, region and wing conferences, commander's calls, staff meetings, and any other gathering of CAP personnel where inspector general briefings would be appropriate.
- j. Educate Civil Air Patrol members and commanders regarding the privileges of and protection for those contacting an inspector general.
- k. Assure that inspectors general avoid self-investigation and the perception of self-investigation.
- l. Ensure inspectors general, inspector general staff members, and investigating officers are trained to conduct thorough, unbiased investigations and assessments based on fair and objective fact-finding.

### **2. HOW THE INSPECTOR GENERAL SYSTEM HELPS COMMAND.**

- a. Personal complaints and fraud, waste and abuse disclosures help commanders discover and correct problems affecting the productivity and morale of assigned personnel. Resolving the underlying cause of a complaint may prevent more severe symptoms or costly consequences, such as reduced performance, accidents, poor quality work, poor morale, loss of resources, or costly litigation.
- b. Even though allegations may not be substantiated, the evidence or investigation findings may reveal systemic, morale or other problems that impede efficiency and organizational effectiveness.
- c. The roles of the Inspector General in relation to the commander are:
  - 1) Be the "eyes and ears" of the commander.
  - 2) Keep the commander informed of potential areas of concern.

- 3) Function as an ombudsman, fact-finder, and honest broker in the resolution of complaints.
  - 4) Educate and train commanders and CAP members regarding their privileges and responsibilities in regard to the Civil Air Patrol Inspector General System.
  - 5) Help commanders, in accordance with the IG's duties, prevent, detect and upon request of the commander render advice regarding the correction of mismanagement and fraud, waste and abuse.
  - 6) To be an integral member of the commander's staff and have direct access to the commander. Commanders must ensure the authority, duties, and responsibilities of their inspectors general are clearly delineated and understood.
- d. To ensure support of the Inspector General System, commanders will:
- 1) Assure their inspector general office is fully manned, equipped, and trained to meet the needs of the position.
  - 2) Assure that the name and complete contact information for newly appointed inspectors general are promptly reported to the CAP IG Administrator (NHQ CAP/EXI).
  - 3) Assure their inspector general and any subordinate commanders follow the requirements of this regulation.
  - 4) Periodically talk about the privileges and responsibilities of all personnel regarding the Inspector General System at commanders' calls, staff meetings, and other gatherings.
  - 5) Assure the necessary independence of the inspector general to overcome any perceived lack of autonomy that would discourage potential complainants and preclude disclosures of wrongdoing from being brought to the attention of the inspector general.

### **3. APPOINTMENT, DUTIES AND AUTHORITY OF THE CIVIL AIR PATROL INSPECTOR GENERAL.**

- a. The Civil Air Patrol Inspector General (CAP/IG) will be appointed and confirmed in the manner specified in the Constitution and Bylaws of the Civil Air Patrol. The CAP/IG's term of office and circumstances under which he/she may be removed from office will be as specified in the Constitution and Bylaws of the Civil Air Patrol.
- b. The duties and responsibilities of the CAP/IG shall be in accordance with the Civil Air Patrol Constitution and Bylaws.
- c. In order to develop and supervise the Civil Air Patrol IG Program, the CAP/IG will:
- 1) Manage the Civil Air Patrol Inspection Program in coordination with the CAP-USAF/IG.
  - 2) Manage the Civil Air Patrol Complaints Program to prevent, detect and correct any fraud, waste, mismanagement, deficiency, cadet protection issue, or abuse of authority, to include protection from retaliation or reprisal against persons utilizing the Civil Air Patrol Inspector General Complaints Program. Development of a complaints program shall include, but not be limited to:
    - a) Coordination with National Headquarters to maintain a hotline for reporting Fraud, Waste and Abuse (FWA) and for the reporting of priority complaints to the CAP/IG.
    - b) Coordination with National Headquarters to have contact information for the CAP/IG and all region inspectors general published in the *Civil Air Patrol News* and on the Civil Air Patrol National Headquarters Internet web site.
    - c) Coordination with the National Legal Officer to deal with complaints against sitting wing and region commanders and other national CAP officers.
    - d) Develop and manage a CAP Inspector General Education, Training and Staff Development Program that will develop and conduct training programs to educate CAP commanders and the CAP general membership about the CAP Inspector General Program as well as advance the professionalism and qualification of CAP inspectors general.
- d. The CAP/IG will conduct or supervise such assessments and investigations as may be assigned by the Board of Governors, the National Commander, or as otherwise provided for by Civil Air Patrol regulations, and will prepare reports thereof. The CAP/IG will provide oversight for all inspector general assessments and investigations conducted by CAP units subordinate to the National Headquarters through review of cases of special interest to the CAP National leadership and other matters of concern. Oversight authority includes the authority of the CAP/IG to comment and review all subordinate unit inspectors general findings.
- e. When necessary, the CAP/IG will direct investigations and assessments and provide direct oversight for all inspector general assessments and investigations.

**4. APPOINTMENT OF ASSISTANT CIVIL AIR PATROL INSPECTORS GENERAL.** The CAP/IG will appoint and/or remove Assistant CAP/IGs as required by the nature of the Civil Air Patrol Inspector General Program. Such appointments and removals will be coordinated through the National Commander. CAP/IG will define in writing the title, duties, authorities and responsibilities for each assistant CAP/IG appointed.

**5. APPOINTMENT, DUTIES AND RESPONSIBILITIES OF SUBORDINATE UNIT INSPECTORS GENERAL (IG) AND INVESTIGATING OFFICERS.**

a. Region, wing and group commanders will appoint an inspector general and may appoint investigating officers for his/her respective level headquarters (see paragraph 6a6) below). This authority to appoint an IG may not be delegated. Should a region or wing commander fail to appoint an inspector general for their region or wing, the CAP/IG will, in coordination with the next higher-level commander, ensure an inspector general is appointed for that region or wing.

b. Inspectors general may be removed by the unit commander only with the concurrence of the next higher commander.

c. The region, wing and group inspectors general will serve as the principal inspector general for their respective command organization, will develop and supervise their organization's Inspector General Program in accordance with CAP regulations and will have oversight authority over all unit inspector general activities subordinate to their command headquarters. Subordinate unit inspectors general will have a coordinating relationship with their higher headquarters inspectors general. The CAP/IG will have oversight authority over all subordinate unit inspector general activities.

d. Region, wing and group inspectors general may appoint inspector general assistants with the concurrence of the unit commander.

e. Inspectors general will not be constrained by additional duties that detract from their primary responsibilities. With this in mind, the following limitations are placed on those who may serve as inspectors general or investigating officers:

1) Commanders, vice commanders, or those serving in any other command staff position will not serve as inspectors general or as investigating officers. The inspector general will not be double billeted by individuals tasked with other responsibilities. Command staff members may serve as inspectors on assessment teams.

2) CAP legal officers at the National, region, wing, group, or squadron level will not serve as inspectors general or investigating officers. Attorneys who are not serving as CAP legal officers or in any other legal advisory role to a commander may serve as inspectors general or investigating officers. Legal officers may serve as inspectors on an assessment team.

3) Chaplains and moral leadership officers will not serve as inspectors general or investigating officers. Chaplains and moral leadership officers may serve as inspectors on an assessment team.

**6. AUTHORITY TO DIRECT INSPECTOR GENERAL ASSESSMENTS AND INVESTIGATIONS.**

a. The authority to direct inspector general assessments and investigations is vested only in the individuals holding the positions listed below. This authority is hereinafter referred to as "Appointing Authority."

1) Chair of the Civil Air Patrol Board of Governors

2) Civil Air Patrol National Commander

3) CAP Inspector General

4) Region commanders and region inspectors general for activities within his/her region

5) Wing commanders and wing inspectors general for activities within his/her wing

6) Group commanders and group inspectors general for activities within his/her group. Group commanders may not issue the appointment letter for investigations at the group level (see "*Complaint Processing*" in CAPR 123-2).

b. As part of their duties, commanders at any level may direct assessments and investigations of units and matters within their command authority. Administrative actions may be taken based on the facts presented by an inspector general or investigating officer.

c. Appointing authorities may appoint investigating officers as necessary. The appointing authority will define specific duties and tasks of the investigating officer.

**7. ASSESSMENTS AND SURVEYS NOT COVERED BY THE AUTHORITY OF THE CAP INSPECTOR GENERAL SYSTEM.** Personnel who conduct assessments or surveys governed by other policies, directives, instructions and/or regulations will not cite this regulation as their authority to conduct such assessments or surveys. These assessments and surveys include, but are not limited to:

- a. Investigations involving allegations of exclusion from participation in, denial of benefits, or otherwise being subjected to discrimination under any Civil Air Patrol program on the ground of race, color, or national origin. Department of Defense Directive 5500.11, *Nondiscrimination in Federally Assisted Programs* and CAPR 39-1, *Nondiscrimination in Federally Assisted Programs*, govern such investigations.
- b. Investigations involving allegations of discrimination on the basis of handicap. Department of Defense Directive 1020.1, *Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of Defense*; and CAPR 39-1 govern such investigations.
- c. Safety investigations conducted under CAPR 62-1, *CAP Safety Responsibilities and Procedures*.
- d. CAP mishap investigations conducted under CAPR 62-2, *Mishap Reporting and Investigation*.
- e. Reports of Survey conducted under CAPR 67-1, *CAP Supply Regulation*.
- f. Investigations of CAP employees who have specific appeal rights under law or other Civil Air Patrol policies.
- g. Investigations involving violations of criminal laws.

**8. AUTHORITY FOR INSPECTOR GENERAL ACCESS TO CIVIL AIR PATROL RECORDS.** Inspector general personnel and investigating officers must have expeditious and unrestricted access to and the privilege to make copies of all Civil Air Patrol records, reports, investigations, audits, reviews, documents, papers, recommendations, or other materials relevant to the investigation concerned. Inspectors general are authorized to interview any and all CAP personnel, review any and all records, files, correspondence, and documents, and inspect any and all tangible or intangible material, assets, or property deemed necessary by the CAP/IG in order to bring an inquiry or investigation to conclusion. No Civil Air Patrol member or employee may deny an inspector general or a properly appointed investigating officer such access. This provision does not supersede the right to confidentiality associated with communications between a legal officer and/or chaplain and a member that can be shown to be governed by the attorney client or cleric confidentiality rules of law.

**9. TRAINING REQUIREMENTS FOR INSPECTORS GENERAL.**

a. Training requirements for inspectors general will be specified in the documentation outlining the Inspector General Specialty Track.

1) The Civil Air Patrol Inspector General College will be offered biennially for the training of inspectors general. The biennial course will meet the training requirements of the Inspector General Specialty Track for the Master rating.

2) Inspector general classes meeting the training requirements of the Inspector General Specialty Track Senior rating, as described in CAPP 203, should be offered in conjunction with the CAP National Board Meeting and Annual Conference generally held in August of each year.

3) Region commanders may coordinate with the CAP/IG to offer training classes for inspectors general in conjunction with region conferences. Training classes offered in conjunction with region conferences should meet the training requirements for the Inspector General Specialty Track Senior rating, as described in CAPP 203. Other specialty classes for the training of inspectors general may be offered as needed.

4) Wing commanders may coordinate with the CAP/IG to offer training classes for inspectors general in conjunction with wing conferences. Training classes offered in conjunction with wing conferences should meet the training requirements for the Inspector General Specialty Track Technician rating, as described in CAPP 203. Other specialty classes for the training of inspectors general may be offered as needed.

b. Region and wing inspectors general must have completed the Civil Air Patrol Inspector General College. A commander may appoint an inspector general who has not completed the biennial Civil Air Patrol Inspector General College; however, the appointed inspector general must attend the next scheduled Civil Air Patrol Inspector General College.

c. Group inspectors general must have completed the training classes specified for the Inspector General Specialty Track Senior rating, as described in CAPP 203. A group commander may appoint an inspector general who has not completed the training classes specified for the Inspector General Specialty Track Senior rating; however, the appointed inspector general must complete that training within 1 year.

d. Newly assigned inspectors general and inspector general staff members will complete the Basic Inspector General Orientation Course specified for the Inspector General Specialty Track Technician rating prior to assuming any responsibility for investigation, inspection, or any other kind of inspector general activities.

#### **10. EDUCATING CIVIL AIR PATROL PERSONNEL ON THE INSPECTOR GENERAL SYSTEM.**

a. Inspectors general at every level are responsible for ensuring Civil Air Patrol members are aware of and understand their privileges and responsibilities regarding the Inspector General Complaints and Fraud, Waste and Abuse Program.

b. Inspectors general should actively publicize the CAP Inspector General Complaints Program and train Civil Air Patrol members by taking the following actions:

1) Publicize the Civil Air Patrol Inspector General Complaints Program through squadron, group, wing, and region newsletters, Level I orientation courses, other leadership schools, staff meetings, commander's calls, and by visiting unit meetings where speaking about the Inspector General Program would be appropriate.

2) Ensure all personnel are aware of how to use the Inspector General System and the Civil Air Patrol policy on retaliation, reprisal, and whistleblower protection issues.

3) Educate commanders on their reporting responsibilities regarding allegations involving senior CAP officials.

4) Educate commanders about the privileges of CAP members to make protected communications with the Inspector General.

#### **11. PROTECTING PRIVACY INTERESTS.**

a. No inspectors general, investigating officers, or any other officials will provide copies of complaints, investigative reports, or related documents to witnesses, subjects, or other third parties or allow those parties to read any complaint filed through inspector general channels without prior written approval of the CAP Inspector General and the CAP National Commander after consultation with the CAP National Legal Officer.

b. No inspector general, investigating officers, or any other officials will release the complaint, materials or information provided by the complainant, or the response to the complainant, to a third party requester or the respondent, without the complainant's written consent or a valid subpoena or notice to produce documents issued by a court of law.

c. No inspector general complaint correspondence or related documents, including reports of investigation, will be filed in an individual's unit file, personnel records, or any other system of records other than the system established by CAPR 123-2 and/or the CAP/IG.

#### **12. PROTECTION OF INSPECTOR GENERAL RECORDS.**

a. All inspector general reports and related documents are privileged information documents.

b. Complaints to an inspector general, or complaints worked in inspector general channels, are confidential in nature and are privileged information.

c. Inspector general reports will not be released (in whole or in part), reproduced, or given additional dissemination (in whole or in part) outside of inspector general or legal officer channels without prior written approval of the CAP Inspector General and the CAP National Commander after consultation with the CAP National Legal Officer.

d. Inspector general reports will not be disclosed to individuals outside of CAP, except for CAP-USAF personnel when a request for such reports is received from the CAP-USAF/IG. They will only be disclosed within the CAP to those requiring access to the records in the performance of their official duties.

e. Maintenance and Disposition of Inspector General Records.

1) Upon completion of an investigation, the inspector general at the appropriate level (national, region, wing, or group) will consolidate a copy of all documentation. This will constitute the case file. The case file will be sealed in an envelope and marked on the outside of the envelope with the full name of the complainant and the year the complaint is closed out. These files are confidential and will be kept under lock and key and passed to the subsequent inspector general. These case files will be maintained in accordance with CAPR 10-2, *Files Maintenance and Records Disposition*.

2) The inspector general will not disclose case files or any information contained therein except upon specific written authorization of the CAP/IG or the NHQ CAP/GC.